

SENT BY: THOMPSON AND THOMPSON;
TO: USPTO

716 706-1428;
AT: 15712738300

OCT-5-06 16:23;

PAGE 1

FACSIMILE TRANSMISSION
5 October 2006

TO:
Jonathan S. Werner
Art Unit 3732

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From:
John C. Thompson
69 Grayton Road
Tonawanda NY 14150

Subject:
Your communication of 9/29/2006
Re: Ser. No.: 10/782,451

CONFIDENTIALITY NOTE

The information contained in the following facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please contact John C. Thompson immediately.

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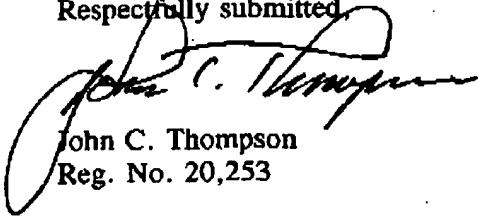
No. of pages: 12 (including this page)

MESSAGE

Dear Sir:

In response to your communication of 09/29/2006, which follows, applicant hereby submits another copy of his amendment filed 07/16/2006.

Respectfully submitted,



John C. Thompson
Reg. No. 20,253

69 Grayton Road
Tonawanda, NY 14150

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,451	02/19/2004	Hans-Peter Foscr	IVd15US	5190
7590	09/29/2006		EXAMINER	
John C. Thompson 69 Grayton Road Tonawanda, NY 14150			WERNER, JONATHAN S	
			ART UNIT	PAPER NUMBER
			3732	

DATE MAILED: 09/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.	Applicant(s)
10/782,451	FOSER ET AL.
Examiner	Art Unit
Jonathan Werner	3732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 7/16/06 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
 - A. Amended paragraph(s) do not include markings.
 - B. New paragraph(s) should not be underlined.
 - C. Other _____.
- 2. Abstract:
 - A. Not presented on a separate sheet. 37 CFR 1.72.
 - B. Other _____.
- 3. Amendments to the drawings:
 - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - C. Other _____.
- 4. Amendments to the claims:
 - A. A complete listing of all of the claims is not present.
 - B. The listing of claims does not include the text of all pending claims (including withdrawn claims).
 - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Cancelled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - D. The claims of this amendment paper have not been presented in ascending numerical order.
 - E. Other: _____.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

See Continuation Sheet

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
 Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Jonathan Werner
Examiner

Legal Instruments Examiner (LIE), If applicable

571-272-2767

Telephone No.

Part of Paper No. 20080922

SENT BY: THOMPSON AND THOMPSON;

716 706-1428;

OCT-5-06 16:24;

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Continuation Sheet (PTOL-324)

Application No. 10/782,451

Continuation of 5 Other: Pages 7 and 8 of the amendment as submitted by Applicant are illegible, the content of which includes claims 28-29 and Applicant's Remarks/Arguments. Applicant is asked to re-submit said amendment.

Cris L. Rodriguez
CRIS L. RODRIGUEZ
PRIMARY EXAMINER